



## Connecticut Department of Public Health

Testimony Presented before the Committee on Children  
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### Governor's Bill 24 - An Act Concerning The Governor's Recommendations Regarding Electronic Nicotine Delivery Systems And Youth Smoking Prevention.

Good morning Senator Bartolomeo, Representative Urban, and distinguished members of the Committee on Children. I am Commissioner Jewel Mullen of the Department of Public Health (DPH) and I am here today to testify in strong support of Governor's Bill No. 24, An Act Concerning the Governor's Recommendations Regarding Electronic Nicotine Delivery Systems and Youth Smoking Prevention.

By prohibiting the sale of electronic nicotine delivery systems to minors, this bill will reduce the number of youth becoming addicted to nicotine and remove a potential entry point for youth to transition to using, and becoming addicted to, more conventional tobacco products.

The sale of electronic nicotine delivery systems, commonly known as "e-cigarettes", is a burgeoning industry that has almost tripled over the last year, increasing from an estimated \$500 million in 2012 to \$1.7 billion in 2013. These devices, unlike cigarettes and other conventional tobacco products, are not subject to federal laws regulating marketing to youth. As a result, advertising techniques for these products using "kid-friendly" bubblegum or chocolate flavoring, television ads, celebrity endorsements, and cartoon characters can target youth in a way that cigarettes have not been able to utilize since the 1960s.

The safety of these devices, which uses electronic means or a chemical reaction to heat and vaporize a liquid nicotine solution, creating a vapor "smoke" that is breathed in by the user, has not yet been confirmed. However, studies from an FDA 2009 laboratory analysis of two leading e-cigarette brands found: (1) the products contained detectable levels of known carcinogens and toxic chemicals; (2) quality control processes used to manufacture the products were inconsistent or non-existent; (3) cartridges that were labelled as "containing no nicotine" did actually contain low levels of nicotine; and (4) markedly different amounts of nicotine were emitted from cartridges claiming to have the same levels of nicotine. This analysis, while preliminary, raises significant concerns.

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According to the Centers for Disease Control and Prevention, use of e-cigarettes by youth has more than doubled between 2011 and 2012. In Connecticut, new data from the Youth Tobacco Survey indicates that 13.4% of high school students have tried electronic cigarettes, which is higher than the national average. In addition to being exposed to addictive nicotine, the increased consumption of these devices by youth has the potential to lead to experimentation with other tobacco products. Research shows us that the earlier someone starts using tobacco, the more addicted they will become and the harder it will be to quit. Ninety percent of all smokers begin smoking by age eighteen – and, if someone has not started smoking by age 21, it is not likely that they will. For these reasons, we support the Governor's proposal to prohibit minors from purchasing e-cigarettes and other related devices, mirroring the same laws we currently have for cigarettes and other tobacco products.

The bill also seeks to prevent youth access to tobacco products through the implementation of a Tobacco Prevention Education program for first-time offenders who sell tobacco products to minors. This program, administered by the Department of Mental Health and Addiction Services (DMHAS), aims to reduce repeat violations, as well as the overall retailer violation rate, through an innovative on-line training simulation. In order to further combat repeat violations, the bill increases the time period in which a higher penalty can be assessed for subsequent offenses from eighteen to twenty-four months after a first violation.

In addition, the bill increases the capacity for local law enforcement to take action on sellers of "loose" cigarettes by making it a criminal violation, punishable by a fine. This provision will help reduce the availability of cheaper and more accessible tobacco products by minors.

Finally, the bill increases the maximum amount of funding available for tobacco prevention and cessation efforts by allowing the Board of the Tobacco and Health Trust Fund to recommend the entire unobligated balance remaining the Fund, subject to a \$12 million cap.

I respectfully request that the Committee take favorable action on this bill. Thank you for your consideration of the Department's views.